

217273

# APPLICATION OF EVERYCALL COMMUNICATIONS, INC. FOR CERTIFICATION AS AN ELIGIBLE TELECOMMUNICATIONS CARRIER

# COVER SHEET

**NUMBER: 2009 - 65 - C**

**Email:** [clacey@telecomcounsel.com](mailto:clacey@telecomcounsel.com)

**DOCKETING INFORMATION** (Check all that apply)

☐ **Other:**

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certification
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certificate	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input checked="" type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

Time ☐ Stipulation  
☐ Subpoena  
☐ Tariff  
☐ Other:

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May 20, 2009

**VIA OVERNIGHT DELIVERY**

Mr. Charles Terreni  
Chief Clerk of the Commission  
South Carolina Public Service Commission  
101 Executive Center Drive, Suite 100  
Columbia, South Carolina 29210  
(803) 896-5100

Re: Everycall Communications, Inc.  
Docket No. 2009-65-C

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SC PUBLIC SERVICE  
COMMISSION

Dear Mr. Terreni:

Enclosed please find for filing an original and twenty-five (25) copies of the company's pre-filed testimony.

I have enclosed an extra copy of this letter to be date-stamped and returned to me in the self-addressed, postage prepaid envelope I have provided.

If you have any questions or if I may provide you with any additional information, please do not hesitate to contact me.

Respectfully submitted,

  
Lance J.M. Steinhart  
Attorney Everycall Communications, Inc.

cc:  
Lessie Hammonds – ORS via e-mail: [lhammon@regstaff.sc.gov](mailto:lhammon@regstaff.sc.gov)  
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1

2 **Q: WHAT IS THE PURPOSE OF YOUR TESTIMONY?**

3 **A:** The purpose of my testimony is to demonstrate that Everycall meets the state and  
4 federal requirements for designation as an Eligible Telecommunications Carrier  
5 (“ETC”) in the State of South Carolina in the designated areas of BellSouth  
6 Telecommunications/AT&T South Carolina service territory (the “Designated  
7 Service Area”). A List of Wire Centers is attached as Exhibit 1 to our application  
8 filed in this Docket.

9 **Q: DOES EVERYCALL CURRENTLY PROVIDE**  
10 **TELECOMMUNICATIONS SERVICE IN SOUTH CAROLINA?**

11 **A:** Yes. Everycall was granted a Certificate of Public Convenience and Necessity to  
12 Provide Competitive Resold Local Exchange Telecommunications Services  
13 within the State of South Carolina Pursuant to Order No. 2004-47 issued in  
14 Docket No. 2003-297-C on January 30, 2004. Everycall is also a common carrier  
15 as that term is defined in 47 U.S.C. §153(10), and Everycall meets the  
16 requirements of 47 U.S.C. § 214(e)(1).

17 **Q: DOES EVERYCALL CURRENTLY CONTRIBUTE TO THE FUNDING**  
18 **FOR UNIVERSAL SERVICE?**

19 **A:** Yes. Federal regulations require carriers such as Everycall to contribute a portion  
20 of their revenues to the funding of federal universal service.

1

2   **Q:    IS THE COMPANY PRESENTLY ABLE TO DRAW FROM FEDERAL**  
3           **UNIVERSAL SERVICE FUNDS FOR THE PROVISION OF THE**  
4           **SUPPORTED SERVICES IN SOUTH CAROLINA?**

5   **A:**    No. Until it is designated as an ETC for those areas it serves in South Carolina,  
6           Everycall is not able to receive any federal universal service funds to support its  
7           provision of universal services to South Carolina consumers.

8   **Q:    BY OBTAINING ETC DESIGNATION, WILL EVERYCALL IMPROVE**  
9           **THE QUALITY OF BASIC SERVICE PROVIDED TO SOUTH**  
10          **CAROLINA RESIDENTS?**

11   **A:**    Yes. As required, if Everycall receives ETC designation, any universal service  
12          funding it receives will be used only to support the provision, upgrading and  
13          maintenance of Everycall's residential network where Everycall is designated as  
14          an ETC in South Carolina. As a result, Everycall will be able to improve the  
15          quality of basic service by increasing the availability of this unique service to  
16          customers who reside in areas of the state where the service is currently  
17          unavailable and, due to credit and deposit requirements, may not be able to obtain  
18          the safety and convenience of telephone service from traditional providers.

19

20   **Q:    WILL EVERYCALL'S CUSTOMERS EXPERIENCE OTHER BENEFITS**  
21          **AS A RESULT OF EVERYCALL'S DESIGNATION AS AN ETC?**

22   **A:**    Yes. Since Everycall is seeking only low income support, and Lifeline is  
23          designed to reduce the monthly cost of telecommunications services for eligible

1 consumers, and is distributed on a per-customer basis and is directly reflected in  
2 the price that the eligible customer pays, it is assured that all support received by  
3 the carrier is used to provide Lifeline services to consumers, thus promoting  
4 Lifeline and the availability of telephone service to low income users, which is  
5 clearly in the public interest.

6 **Q: IS A COMPETITIVE LOCAL EXCHANGE CARRIER LIKE**  
7 **EVERYCALL ELIGIBLE FOR FEDERAL UNIVERSAL SERVICE**  
8 **SUPPORT?**

9 **A:** Yes. Both the 1996 Telecommunications Act ("TA'96") and the FCC's rules  
10 establish the directives for the Commission to follow in making an ETC  
11 designation. Section 214(e) of TA'96 specifically provides that any common  
12 carrier, including a competitive local exchange carrier such as Everycall, may be  
13 designated as an ETC for federal universal service support purposes, provided  
14 that carrier meets the specific criteria set forth in Section 214(e)(1) of the Act,  
15 which Everycall does.

16 **Q: WHAT ARE THE REQUIREMENTS FOR OBTAINING ETC**  
17 **DESIGNATION?**

18 **A:** The eligibility requirements were recently supplemented by the FCC. The initial  
19 requirements established by §214(e)(1) of the Act are still in place, and state:  
20 A common carrier designated as an eligible telecommunications carrier under  
21 paragraph (2) or (3) shall be eligible to receive universal service support in  
22 accordance with section 254 and shall, throughout the service area for which the  
23 designation is received:

1  
2 (A) Offer the services that are supported by Federal universal service support  
3 mechanisms under Section 254(c), either using its own facilities or a combination  
4 of its own facilities and resale of another carrier's services (including the services  
5 offered by another eligible telecommunications carrier); and

6  
7 (B) Advertise the availability of such services and the charges therefore using  
8 media of general distribution.

9  
10 **Q: IS EVERYCALL REQUESTING DESIGNATION IN THIS PROCEEDING**  
11 **FOR THE STUDY AREA OF ANY RURAL LEC IN SOUTH CAROLINA?**

12 **A:** No. Everycall's Petition requests designation only in the wire centers of  
13 BellSouth/AT&T, which have been classified as non-rural.

14 **Q: DOES EVERYCALL CURRENTLY HAVE INTERCONNECTION**  
15 **AGREEMENT WITH BELL SOUTH/AT&T?**

16 **A:** Yes.

17 **Q: IS IT YOUR UNDERSTANDING THAT EVERYCALL IS ENTITLED TO**  
18 **BE DESIGNATED AS AN ETC IF IT DEMONSTRATES THAT IT IS**  
19 **CAPABLE OF MEETING ALL OF THE OBLIGATIONS IMPOSED BY**  
20 **SECTION 214(e) OF TA'96 AS WELL AS THE NEW REQUIREMENTS**  
21 **ESTABLISHED BY THE FCC'S MARCH, 2005 ORDER?**

22 **A:** Yes. Everycall has filed an Affidavit in support of its requirements for  
23 designation as an Eligible Telecommunications Carrier as Exhibit 4 to our  
24 application filed in this Docket.

**Q: THE FIRST CRITERION FOR ETC DESIGNATION UNDER SECTION 214(e)(1) IS COMMON CARRIER STATUS. IS EVERYCALL A COMMON CARRIER?**

**A:** Yes. Everycall is a "common carrier" for purposes of obtaining ETC designation under 47 U.S.C. § 214(e)(1). A common carrier is generally defined in 47 U.S.C. §153(10) as "any person engaged as a common carrier for-hire" in interstate or foreign communications utilizing either wire or radio technology, except for radio broadcasters.

**Q: THE SECOND REQUIREMENT IS THAT EVERYCALL OFFER THE "SUPPORTED SERVICES." WHAT ARE THE SUPPORTED SERVICES THAT MUST BE OFFERED?**

**A:** The FCC has identified (at 47 C.F.R. §54.101(a)) the following services and functionalities as the core services to be offered by an ETC and supported by federal universal service support mechanisms:

1. voice-grade access to the public switched network;
2. local usage;
3. dual tone multi-frequency signaling or its functional equivalent;
4. single-party service or its functional equivalent;
5. access to emergency services;
6. access to operator services;
7. access to interexchange services;
8. access to directory assistance;
9. toll limitation for qualifying low-income consumers



1   **Q:    CAN EVERYCALL CURRENTLY PROVIDE THE SUPPORTED**  
2       **SERVICES SET FORTH ABOVE USING ITS NETWORK THAT IS IN**  
3       **PLACE TODAY?**

4   **A:**   Yes. Everycall's present network can provide all of the supported services to  
5       consumers in South Carolina. Everycall recognizes its obligation to offer these  
6       services including the "toll limitation for qualifying low-income consumers"  
7       service that is linked to the federal "Lifeline" program and targeted at meeting the  
8       needs of low-income consumers. Everycall, however, cannot participate in the  
9       federal Lifeline program until it receives its ETC designation. Once Everycall  
10      receives ETC designation it will provide toll limitation as required by the FCC's  
11      rules.

12   **Q:    COULD YOU EXPLAIN EACH OF THE SUPPORTED SERVICES AND**  
13       **HOW EVERYCALL PROVIDES, OR WILL PROVIDE THESE**  
14       **SERVICES?**

15   **A:**   Yes. Everycall presently provides or plans to provide each of the supported  
16      services identified by the FCC in 47 C.F.R. § 54.101(a) as follows:

- 17
- 18           a.     *Voice-grade access to the public switched telephone network.* The  
19           FCC has concluded that voice grade service means the ability to make and  
20           receive phone calls, within a specified bandwidth and frequency range.  
21           Everycall meets this requirement by providing voice-grade access to the  
22           public switched telephone network. Through its interconnection

1 agreements, all customers of Everycall are able to make and receive calls  
2 on the public switched telephone network within the specified bandwidth.

3 b. *Local usage.* ETCs must include local usage beyond providing  
4 simple access to the public switched network as a part of a universal  
5 service offering. Everycall includes specified quantities of usage in its rate  
6 plans and thereby complies with the requirement. It is important to note,  
7 that currently, there is no specific rule that requires an ETC to include any  
8 particular amount of local usage, although all of Everycall's service  
9 offerings include unlimited local calling.

10 c. *Dual-tone, multi-frequency ("DTMF") signaling or its functional*  
11 *equivalent.* DTMF, more commonly known as touch-tone, is a method of  
12 signaling that facilitates the transport of call set-up and detail information.  
13 Through its interconnection agreements, Everycall provides DTMF  
14 signaling to its customers, which is the equivalent of that offered by the  
15 incumbent LECs to its customers.

16 d. *Single-party service or its functional equivalent.* Everycall meets  
17 the requirement of single-party service by providing a dedicated message  
18 path for the length of all customer calls.

1  
2 e. *Access to emergency services.* The ability to reach a public  
3 emergency service provider by dialing 911 is a requirement in any  
4 universal service offering. Everycall currently provides its subscribers  
5 access to 911 emergency service in accord with this requirement, and  
6 consistent with FCC Regulations throughout the service area for which  
7 designation is sought. Everycall also provides Enhanced 911 services  
8 including Phase I and Phase II E911 services where requested by local  
9 public safety authorities ready to receive the information and where the  
10 local exchange carrier supports such services.

11 f. *Access to operator services.* Access to operator services is defined  
12 as any automatic or live assistance provided to a consumer to arrange for  
13 billing or completion, or both, of a telephone call. Everycall currently  
14 provides access to operator services through a 1-800 calling service.  
15 Customers can also obtain 1+ service through a third party provider to  
16 access such services.

17 g. *Access to directory assistance.* Much like operator services,  
18 Everycall currently offers access to directory assistance services through a  
19 1-800 calling service. Customers can also obtain 1+ service through a  
20 third party provider to access such services.

21 h. *Access to interexchange service.* Everycall meets the requirements  
22 of access to interexchange service by providing all of its customers with  
23 the ability to make and receive interexchange calls through 1+800 calling

1 services provided by third party LD carriers. Additionally, customers can  
2 obtain 1+ services through a third party provider, and are able to reach  
3 their IXC of choice by dialing the appropriate access code.

4 i. *Toll limitation for qualifying low-income consumers.* As  
5 previously mentioned, toll limitation for qualifying low-income  
6 consumers is linked to participation in the Lifeline program, which  
7 Everycall will participate in and offer upon designation as an ETC. 47  
8 CFR § 54.400(d) defines Toll Limitation” as either toll blocking *or* toll  
9 control for telecommunications carriers that are incapable of providing  
10 both services. At this time, Everycall does offer toll control. Per the  
11 requirements of 47 CFR § 54.400(d) Everycall will provide eligible  
12 Lifeline subscribers with the ability to subscribe to toll blocking, at no  
13 additional charge, which restricts the dialing of toll billed calls while  
14 permitting local calls, and non-chargeable calls to company numbers such  
15 as repair service, emergency numbers (911) and 800 dialing.

1  
2 **Q: DOES EVERYCALL OFFER THE ABOVE-REFERENCED SUPPORTED**  
3 **SERVICES VIA ITS OWN FACILITIES OR A COMBINATION OF ITS**  
4 **OWN FACILITIES AND RESALE OF ANOTHER CARRIER'S**  
5 **SERVICES?**

6 **A:** Depending on the type of service the customer requests and the precise location of  
7 the customer, Everycall offers the supported services either through the purchase  
8 of switched port/loop combinations Unbundled Network Elements (UNEs) or  
9 through resale of another carrier's services. Consistent with the requirements of  
10 47 CFR. § 201(e), these facilities are physical components of the  
11 telecommunications network that are used in the transmission or routing of the  
12 services for which support is requested. Because these facilities include  
13 unbundled network elements, they meet the FCC's definition of "own facilities"  
14 established in 47 CFR § 201(f) and thereby make the method by which Everycall  
15 provisions the supported services consistent with the FCC's rules found at 47  
16 CFR § 54.201(d)(1) through (i).

17 **Q: WILL EVERYCALL PROVIDE SUPPORTED UNIVERSAL SERVICES**  
18 **ONCE DESIGNATED AS AN ETC?**

19 **A:** Yes. Everycall will provide all supported universal services once designated as an  
20 ETC.

1

2 **Q: WILL EVERYCALL PARTICIPATE IN THE LIFELINE AND LINK-UP**  
3 **PROGRAMS IF IT IS DESIGNATED AS AN ETC?**

4 **A:** Yes, as we stated in our Petition, upon designation as an ETC, Everycall will  
5 participate in, and offer, Lifeline and Link-Up programs to qualifying low-income  
6 consumers and publicize the availability of Lifeline and Link-Up services in a  
7 manner reasonably designed to reach those likely to qualify for those services, as  
8 required by 47 C.F.R. §§ 54.401-54.417; 54.405(b)& 54.411(d).

9 **Q: A THIRD REQUIREMENT FOR DESIGNATION AS AN ETC IS TO**  
10 **ADVERTISE THE AVAILABILITY OF THE SUPPORTED SERVICES.**  
11 **HOW DOES EVERYCALL INTEND TO ADVERTISE THE**  
12 **AVAILABILITY OF THE SUPPORTED SERVICES?**

13 **A:** Everycall advertises the availability of the supported services and the  
14 corresponding charges in a manner that informs the general public within the  
15 designated service area of both the services available and the corresponding  
16 charges. Everycall advertises its services through several different media of  
17 general distribution including (but not limited to) marketing at targeted retail  
18 locations as well as advertisements via television, radio, newspapers and various  
19 free publications target at low-income consumers such as the “Dollar Saver”. In  
20 addition, Everycall will comply with the requirements of 103-690(C) of the  
21 Commissions rules, which states that “carriers seeking certification in areas not  
22 eligible for High Cost Support from the USF, but seeking ETC designation for the  
23 purpose of participation in the Lifeline and Link Up programs...shall submit a

1 two-year plan that describes the carrier's plans for advertising and outreach  
2 programs for identifying, qualifying, and enrolling eligible participants in the  
3 Lifeline and link Up programs".

4 **Q: IS EVERYCALL ABLE TO SATISFY EACH OF THE ADDITIONAL**  
5 **REQUIREMENTS ESTABLISHED IN THE FCC'S MARCH 17, 2005**  
6 **ORDER?**

7 **A:** Yes. Everycall will provide each of the supported services identified in 47 C.F.R.  
8 §54.101 as follows:

9 a. Everycall will commit to provide service throughout its proposed  
10 designated service area to all customers making a reasonable request for service.  
11 Everycall certifies that it will (a) provide service on a timely basis to requesting  
12 customers within the applicant's service area where the applicant's network  
13 already passes the potential customer's premises; and (b) provide service within a  
14 reasonable period of time, if the potential customer is within Everycall's licensed  
15 service area but outside its existing network coverage, if service can be provided  
16 at reasonable cost by reselling services from another carrier's facilities to provide  
17 service.

18 b. Under FCC guidelines, an ETC Applicant must submit a five-year plan  
19 that describes with specificity proposed improvements or upgrades to the  
20 applicant's network on a wire center-by-wire center basis throughout its proposed  
21 Designated Service Area. The only circumstance warranting deviation from this  
22 requirement is where an applicant's requested ETC serving territory would qualify  
23 it to receive no "high cost" USF support, but only "low income" USF support.

1 Because Everycall seeks ETC designation solely for purposes of reimbursement  
2 for provision of subsidized Lifeline and Link-Up services to eligible customers,  
3 submission of a Five-Year Network Improvement Plan is not required at this time.

4 In lieu of this requirement, Everycall will fully comply with the requirements of  
5 103-690(C) and has submitted Everycall's two-year Lifeline and Link Up  
6 advertising plan in it's Application for Certification as an Eligible  
7 Telecommunications Carrier. As Lifeline support is designed to reduce the  
8 monthly cost of telecommunications services for eligible consumers, and is  
9 distributed on a per-customer basis and is directly reflected in the price that the  
10 eligible customer pays, it is assured that all support received by the carrier is used  
11 to provide Lifeline services to consumers, thus promoting Lifeline and the  
12 availability of telephone service to low income users, which is clearly in the  
13 public interest.

14  
15 c. Providing service to its customers through resale of another carrier's  
16 services or the use of switched port/loop combination UNEs, leased from the  
17 ILECs, allows Everycall to provide to its customers the same ability to remain  
18 functional in emergency situations as currently provided by the ILECs to their  
19 own customers (including access to a reasonable amount of back-up power to  
20 ensure functionality without an external power source, rerouting of traffic around  
21 damaged facilities, and the capability of managing traffic spikes resulting from  
22 emergency situations). Further, by nature of the fact that these services are  
23 implicitly included in the rates that Everycall pays to the ILECs, these capabilities



1 are also available to Everycall's customers.

2 d. Everycall will satisfy applicable consumer protection and service quality  
3 standards. Under FCC guidelines, an ETC Applicant must demonstrate that it will  
4 satisfy applicable consumer protection and service quality standards. 47 CFR  
5 §54.202(a)(3); FCC ETC Order at Para 28. Applicant will satisfy all such  
6 standards. As part of its certification requirements for providing local exchange  
7 services, Applicant must abide by the service quality and consumer protection  
8 rules. In addition, Applicant commits to reporting information on consumer  
9 complaints per 1,000 lines on an annual basis consistent with the FCC's ETC  
10 Order. Applicant in general commits to satisfying all such applicable state and  
11 federal requirements related to consumer protection and service quality standards.

12 e. Everycall's offering includes a local usage component with unlimited local  
13 calling similar to the ILECs' basic local service offerings. The amount of credits  
14 that will be provided to eligible low participating in the lifeline and link-up  
15 program, is set forth in proposed tariff revisions, which was attached as Exhibit 2  
16 to our Application in this Docket.

1  
2 f. Everycall acknowledges that the FCC may require it to provide equal  
3 access to long-distance carriers in the event that no other eligible  
4 telecommunications carrier is providing equal access within the service area.

5 g. As relevant to the Commission's public interest inquiry, Everycall's  
6 presence will undeniably include a benefit of increased customer choice, as  
7 Everycall's service offering is unique, and serves a specific sector of the public  
8 who might well not otherwise have wire line telephone service.

9 h. Everycall does not seek designation below the study area level of a rural  
10 telephone company, and therefore, no "cream skimming" analysis is required.  
11 Likewise, Everycall does not seek designation as an ETC for any part of tribal  
12 lands. Therefore, the public notice requirements established by the FCC for tribal  
13 lands do not apply.

14 **Q: IN WHAT SERVICE AREAS IS EVERYCALL SEEKING DESIGNATION**  
15 **AS AN ETC?**

16 **A:** Pursuant to Section 54.207 of the FCC's rules, a "service area" is a "geographic  
17 area established by a state commission for the purpose of determining universal  
18 service obligations and support mechanisms." 47 C.F.R. § 54.207(a). For service  
19 areas served by non-rural ILECs such as BellSouth/AT&T, there are no  
20 restrictions on how a Commission defines the "service area" for purposes of  
21 designating a competitive ETC. Everycall proposes a service area consisting of  
22 each of the AT&T South Carolina wire centers in South Carolina which are set  
23 forth in Exhibit 1 to our Application in this Docket.

1  
2 **Q: DOES EVERYCALL PROVIDE TELECOMMUNICATIONS SERVICE**  
3 **THROUGHOUT THE NON-RURAL ILEC SERVICE AREAS FOR**  
4 **WHICH IT SEEKS ETC DESIGNATION?**

5 **A:** Yes.

6 **Q: BEFORE DESIGNATING EVERYCALL AS AN ETC, IS THE**  
7 **COMMISSION REQUIRED TO FIND THAT THE DESIGNATION IS IN**  
8 **THE PUBLIC INTEREST?**

9 **A:** Yes.

10 **Q: HOW, AND IN WHAT TERMS, WILL EVERYCALL'S PRESENCE AS**  
11 **AN ETC IN SOUTH CAROLINA AFFECT THE MARKET AS A WHOLE**  
12 **AND THE PUBLIC INTEREST GENERALLY?**

13 **A:** A grant of Everycall's application will serve the public interest and the market as a  
14 whole by promoting additional deployment of Everycall's unique local service. It  
15 is important to note that most of Everycall's customers do not meet the traditional  
16 "creditworthiness" test of ILECs and CLECs, and therefore, many are unable to  
17 obtain wire line local exchange service. Everycall's designation as an ETC will  
18 bring consumers the benefits of its unique service to a specific segment of the  
19 market.

20 Furthermore, A central purpose of the Telecommunications Act of 1996 was to  
21 "promote competition and reduce regulation ... [thereby securing] lower prices  
22 and higher quality services ... and encourage the rapid deployment of new

telecommunications technologies.”<sup>1</sup> Designation of Everycall as an ETC would further these goals. Granting ETC status to Everycall would allow the Company to obtain federal universal service support, which it will use to offer innovative telecommunications services at competitive prices to non-rural consumers in the Designated Service Area.

**Q: IF EVERYCALL’S PETITION IS GRANTED, WILL THERE BE ANY FINANCIAL IMPACT ON THE UNIVERSAL SERVICE FUND OR THE FEDERAL UNIVERSAL SERVICE FUND SURCHARGE THAT SOUTH CAROLINA END USERS PAY?**

**A:** No. In fact the amount of support available to an eligible subscriber is exactly the same whether the support is given through a company such as Everycall or the Incumbent LEC operating in the same service area. As such designation of Everycall will not create any financial impact on the Universal Service Fund, the Federal Universal Surcharge that South Carolina end users pay, or an increase to the State or its political subdivisions.

**Q: HAS EVERYCALL BEEN GRANTED ETC STATUS BY ANY STATE COMMISSIONS?**

**A:** Yes, Everycall has been designated as an ETC in the State of Alabama.

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<sup>1</sup> The Telecommunications Act of 1996, Pub. L. No. 104-104, 110 Stat. 56, 56 (1996).

1

2   **Q:   HAS EVERYCALL BEEN AUDITED BY USAC, OR ANY OTHER**  
3       **ENTITY, PERTAINING TO LIFELINE AND LINK-UP?**

4   **A:**   No.

5   **Q:   DOES EVERYCALL AGREE TO COMPLY WITH ALL COMMISSION**  
6       **RULES AND REGULATIONS REGARDING ETC, INCLUDING THOSE**  
7       **SET FORTH IN DOCKET NO. 2006-37-C?**

8   **A:**   Yes. Applicant hereby asserts its willingness and ability to comply with all the  
9       rules and regulations that the Commission may lawfully impose upon Applicant's  
10      provision of service contemplated by this application.  
11      Applicant has requested ETC designation in wire centers located throughout, the  
12      service area of AT&T South Carolina, a non-rural carrier.   Additionally,  
13      Applicant has limited its requested USF support to the federal USF low income  
14      support program. Applicant certifies that all low income USF funding it receives  
15      will be used to provide a credit to its Lifeline and Link-up eligible customers,  
16      consistent with 47 CFR 54.403.

1  
2 Applicant agrees to include in its quarterly Service Quality Report the number and  
3 justification of applications held for more than 30 days and the number and  
4 justification of applications that were denied. Everycall will only seek direct low  
5 income support from the Federal Universal Service Fund for the line provided  
6 through the use of its own facilities or through a combination of its own facilities  
7 and the leased facilities of another carrier. Applicant agrees to utilize the same  
8 qualifying criteria for Lifeline and Link-up as is offered in the AT&T South  
9 Carolina territory (eligibility for TANF, Food Stamps, and Medicaid). Applicant  
10 agrees that it will abide by all advertising and reporting and verification  
11 requirements established by the FCC and Commission.

12 **Q: EXPLAIN HOW THE COMPANY'S RATES AND CHARGES ARE**  
13 **COMPARABLE TO BELL SOUTH TELECOMMUNICATIONS/AT&T**  
14 **SOUTH CAROLINA RATES AND CHARGES?**

15 **A:** Applicant agrees to provide Lifeline customers an additional \$3.50 credit in order  
16 that the federal matching monies can be maximized. This will yield a Lifeline  
17 credit of \$13.50 per month which is consistent with the credit offered throughout  
18 AT&T South Carolina service area.  
19

1  
2 Should Applicant seek designation as an ETC for high cost support, Applicant  
3 will file an additional and separate application with the Commission that  
4 addresses all applicable state and federal laws, rules and regulations, including,  
5 but not limited to, an appropriate build-out plan that includes the use of its own  
6 facilities in addition to those obtained through commercial agreements to provide  
7 services to un-served areas.

8 Applicant has submitted a two-year plan that describes the carrier's plans for  
9 advertising and outreach programs for identifying, qualifying and enrolling  
10 eligible participants in the Lifeline and Link Up programs.

11 Applicant shall comply will all applicable state and federal laws, rules, and  
12 regulations regarding ETC designation and reporting requirements.  
13

14 **Q: DOES THIS CONCLUDE YOUR TESTIMONY?**

15 **A:** Yes.

Exhibit A

Resume



KYLE B. COATS  
5614 Stones River Ave.  
Baton Rouge, LA 70817

## RESUME OF QUALIFICATIONS

(225) 753-6230

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- EDUCATION**      LOUISIANA STATE UNIVERSITY, Baton Rouge, LA  
Bachelor of Science Degree
- EXPERIENCE**
- 07/03-Present      EVERYCALL COMMUNICATIONS, Baton Rouge, LA  
President  
Responsible for start-up of 10 state voice and data service provider.  
Managed all day to day activities of business.
- 01/03- 07/03      COMMAND CENTRAL, Baton Rouge, LA  
Sales Manager  
Responsibilities: All sales activity related to prospecting, proposing and closing alarm monitoring services to alarm dealers throughout the U.S.
- 12/00-12/02      EATEL, Baton Rouge, LA (Eatel acquired Telamerica 12/8/00)  
Manager, Strategic Sales  
Responsibilities: Manage the existing Telamerica sales team in marketing the products offered by Eatel. Products include: facilities based T-1 and resale dial tone, T-1 internet and long distance service.
- 12/96- 12/00      TELAMERICA LONG DISTANCE, Baton Rouge, LA  
Vice President of Sales and Customer Service  
Responsibilities: In addition to responsibilities as sales manager, my responsibilities included: Opening sales offices in markets throughout LA, staffing these offices with both sales and managerial personnel, creating a centralized customer service department and then expanding it into a 24/7 operation, managed the process of becoming a competitive Local Exchange Carrier.
- 1/88 - 3/96      Sales Manager-TELAMERICA LONG DISTANCE  
Responsibilities: Hiring, training, supervising, and evaluating of sales force, development and implementation of incentive oriented compensation plan and competitive rate structures, coordination of all marketing activities which include: direct sales, trade shows, and advertising trade accounts. Handled all customer relations for new and existing accounts.
- 2/87 - 1/88      Communications Consultant - TELAMERICA LONG DISTANCE  
Responsibilities: Generation of leads, follow up on leads, analysis of potential client's long distance needs, presentation and closing of proposals to potential clients, follow up on customer satisfaction.
- 6/85 - 1/87      GAGE TELECO USA, Baton Rouge, LA  
Account Representative  
Responsibilities; Market PBX and Key phone systems to area businesses.

## REFERENCES

Available upon request

Kyle B. Coats

# Jon C. Seger

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## Experience

July 2003-Present      EveryCall Communications      Baton Rouge, LA  
**CEO**

2000-2003      Louisiana Online, Inc.      Baton Rouge, LA  
**Owner & Vice President**

- Web site creation and modification, photography, inventory control, order processing, shipping, telecommunications, and system backups.

1984-2000      TLX Communications      Baton Rouge, LA  
**Owner & Vice President**

- **Chief Engineer – responsible for all technical aspects of company.**  
Installation and maintenance of long distance network (Harris 20/20 switch) and related equipment, digital and analog trunks, central office repeaters, Novell LAN, customer database, billing system, fire suppression systems, UPS and DC power system.
- Head of customer provisioning and technical support departments.
- Oversee installation and maintenance of customer premise Channel Banks, 1+ Automatic Dialers, and data circuits.

1982-1981      Catalytic, Inc.      Baton Rouge, LA  
**Field and Home Office Planning Engineer, Project Administrator**

- Field Planning Engineer on Crude Air Preheater project for Marathon Oil Company (Garyville, LA)
- Home Office Planning Engineer assigned to the following projects:  
Substrate Alumina expansion for Kaiser Aluminum and Chemical Corp., (Baton Rouge, LA)
- Blending and Packaging facility for Penzoil Products Company (Shreveport, LA); and Crude Air Preheater for Marathon Oil Company, (Garyville, LA)
- Project Administrator for Substrate Alumina project for Kaiser Aluminum and Chemical Corp., (Baton Rouge, LA)

1981-1973      Painting Contractor      Baton Rouge, LA  
**Self-Employed**

- Estimating, Contract Administration, Accounting, Purchasing, Job Superintendent, Painter

**Education**

<b>1982-1984</b> Degree:	<b>Louisiana State University</b> Master of Business Administration	<b>Baton Rouge, LA</b>
<b>1981-1975</b> Degree:	<b>Louisiana State University</b> Bachelor of Science in Construction	<b>Baton Rouge, LA</b>
<b>1975-1971</b>	<b>Robert E. Lee High School</b>	<b>Baton Rouge, LA</b>

**College Honors**

**SGA University College President** – Dean's List, Student Chapter  
Associated General Contractors

**and Activities**

**PHI Gamma Delta** - IFC Representative, Scholastic Achievement  
Award

**Award and Honors Committee.**

# John H. Brydels, JR.

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## Experience

July 2003-Present      EveryCall Communications      Baton Rouge, LA  
**Chairman of the Board**

2001-2002      Louisiana Online, Inc.      Baton Rouge, LA  
**President & CEO**

- Secured domain names and trade names for internet startups.
- Managed intellectual property concerns.
- Created and designed internet web site for internet startups.
- Designed and assisted in the publishing of a children's cookbook.

1984-2000      TLX Communications      Baton Rouge, LA  
**President & CEO**

- Supervised the organization and management of a fifty-employee organization.
- Performed financial analysis, cash flow analysis, budgeting, forecasting, and tax planning for a company with \$18 million annual sales.
- Managed the marketing and sales efforts of the organization.
- Negotiated the sale of the company to a larger telecom concern.
- Performed all necessary due diligence functions.

## Education

**Yale School of Management      New Haven, CT**  
**Master of Business Administration - 2005**

**Louisiana State University      Baton Rouge, LA**  
**Bachelor of Science in Finance - 1982**

- Graduated Summa Cum Laude – GPA 3.97
- President – Delta Sigma Pi Business Fraternity

**Master of Science in Accounting -1984**

## Activities

**Professional Designations – CPA (Inactive), CMA, CFM**

**Part-time Employment**

- Taught Freshman accounting, while a graduate student at LSU

**Volunteer Experience:**

- Community Advisory Board – Baton Rouge Boys and Girls Club